

Assembly Bill No. 617

CHAPTER 83

An act to amend Section 8880.28 of the Government Code, relating to the California State Lottery.

[Approved by Governor July 21, 2003. Filed with Secretary of State July 22, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 617, Spitzer. California State Lottery Act.

The California State Lottery Act of 1984 places restrictions on the rulemaking authority of the Lottery Commission with respect to games utilizing computer terminals or other devices. Existing law prohibits, in games utilizing computer terminals or other devices, coins and currency from being dispensed to players from those machines.

This bill would specify that coins or currency may not be dispensed as prizes to players from computer terminals or devices.

The California State Lottery Act provides that none of its provisions may be changed except to further its purpose by a bill passed by a $\frac{2}{3}$ vote of each house of the Legislature and signed by the Governor.

This bill would declare that its provisions further the purpose of the act.

The people of the State of California do enact as follows:

SECTION 1. Section 8880.28 of the Government Code is amended to read:

8880.28. (a) The commission shall promulgate regulations specifying the types of lottery games to be conducted by the lottery, provided:

(1) No lottery game may use the theme of roulette, dice, baccarat, blackjack, Lucky 7s, draw poker, slot machines, or dog racing.

(2) In lottery games utilizing tickets, each ticket in these games shall bear a unique number distinguishing it from every other ticket in that game; and no name of an elected official shall appear on these tickets.

(3) In games utilizing computer terminals or other devices, no coins or currency shall be dispensed as prizes to players from these computer terminals or devices.

(b) Notwithstanding subdivision (a), no changes in the types of games or methods of delivery of these games that incorporate technologies or mediums that did not exist, were not widely available,

or were not commercially feasible at the time of the enactment of this chapter in 1984 shall be made, unless all of the following conditions are met:

(1) This chapter is amended by statute to expressly authorize these changes.

(2) The act making the amendments contains express legislative findings that the amendments are consistent with the terms of, and further the purposes of, this chapter.

(3) The amendments comport with applicable state and federal law.

(c) For purposes of this section, a change in the method of delivery means a material change in the way a consumer directly interacts with the game.

(d) Subdivision (b) does not apply to technological changes implemented prior to October 11, 1993.

(e) This section does not limit any internal technological changes made to the equipment or components utilized by the lottery.

SEC. 2. The Legislature finds and declares that this act furthers the purpose of the California State Lottery Act of 1984 enacted by Proposition 37 of the November 6, 1984, general election.

